

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

DEC 8 2022

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: FACEBOOK SIMULATED  
CASINO-STYLE GAMES LITIGATION.

No. 22-80100

D.C. No. 5:21-cv-02777-EJD  
Northern District of California,  
San Jose

KATHLEEN WILKINSON, individually and  
on behalf of all others similarly situated; et  
al.,

ORDER

Plaintiffs-Respondents,

v.

FACEBOOK, INC., a Delaware corporation,

Defendant-Petitioner.

Before: TASHIMA and S.R. THOMAS, Circuit Judges.

Respondents' motion to withdraw their motion to extend the time to answer the petition and to exceed page limits (Docket Entry No. 6) is granted. The motion to extend time and exceed page limits (Docket Entry No. 4) is withdrawn.

The motion for leave to file a reply in support of the petition (Docket Entry No. 8) is granted. The reply has been filed.

The petition for permission to appeal pursuant to 28 U.S.C. § 1292(b) is granted. Respondents' conditional cross-petition is also granted. *See Yamaha Motor Corp., U.S.A. v. Calhoun*, 516 U.S. 199, 205 (1996) (holding that under § 1292(b), "the appellate court may address any issue fairly included within the

certified order because ‘it is the order that is appealable, and not the controlling question identified by the district court.’” (citation omitted)).

The Clerk will open cross-appeals. Within 14 days after the date of this order, the parties shall perfect their respective appeals in accordance with Federal Rule of Appellate Procedure 5(d).